

APPENDIX D – AGENCY CORRESPONDENCE

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Agency Scoping

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Mailing List for Agency Scoping

Position GENERAL LETTER	Department	Company_Name	City	State
District Engineer	Phoenix Construction District	Arizona Department of Transportation	Phoenix	Arizona
Project Manager	Valley Project Management	Arizona Department of Transportation	Phoenix	Arizona
District Engineer	Phoenix Maintenance District	Arizona Department of Transportation	Phoenix	Arizona
State Railroad Liaison		Arizona Department of Transportation	Phoenix	Arizona
State Traffic Engineer		Arizona Department of Transportation	Phoenix	Arizona
Executive Director		Maricopa Association of Governments	Phoenix	Arizona
Director (Major)	Arizona Highway Patrol	Department of Public Safety	Phoenix	Arizona
Director		Maricopa County Department of Transportation	Phoenix	Arizona
Director		Maricopa County Planning and Development	Phoenix	Arizona
Director		Maricopa County Community Development	Phoenix	Arizona
Superintendent of Schools		Maricopa County Educational Service Agency	Phoenix	Arizona
Captain	Surprise District Office	Maricopa County Sheriff	Surprise	Arizona
Mayor		City of El Mirage	El Mirage	Arizona
City Manager		City of El Mirage	El Mirage	Arizona
Director	Community Development	City of El Mirage	El Mirage	Arizona
Chief	El Mirage Fire Department	City of El Mirage	El Mirage	Arizona
Chief	El Mirage Police Department	City of El Mirage	El Mirage	Arizona
Director	Public Works Department	City of El Mirage	El Mirage	Arizona
Town Manager		Town of Youngstown	Youngstown	Arizona
City Manager		City of Surprise	Surprise	Arizona
Manager of Public Projects		BNSF Railway Co	San Bernardino	California
Project Manager		Valley Metro/RPTA	Phoenix	Arizona
Superintendent of Schools		Dysart Unified School District	Surprise	Arizona
Ecologist		Center for Biological Diversity	Flagstaff	Arizona
Wildlife Linkages		Sky Island Alliance	Tucson	Arizona
Environmental Protection Specialist	Arizona Division Office	Federal Highway Administration	Phoenix	Arizona
USFWS				
Arizona Ecological Services Field Office	US Fish and Wildlife Service		Phoenix	Arizona
Central Arizona Field Office	US Fish and Wildlife Service		Phoenix	Arizona
FLOODPLAIN				
Chief Engineer & General Manager	Flood Control District of Maricopa County		Phoenix	Arizona
AGFD				
Project Evaluation Program Supervisor	Arizona Game and Fish Department	WMHB Project Evaluation Program	Phoenix	Arizona



Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janice K. Brewer
Governor

John S. Halikowski
Director

October 7, 2011

Jennifer Toth
State Engineer

Ms. Laura Canaca
Arizona Game and Fish Department
WMHB Project Evaluation Program
5000 West Carefree Highway
Phoenix, Arizona 85086-5000

Re: NH-060-B(208)A
060 MA 145 H8374 01L
US60/Thunderbird Road Intersection

Dear Ms. Canaca:

The Arizona Department of Transportation (ADOT) is considering intersection improvements at the intersection of United States Route 60 (US 60) and Thunderbird Road/Thompson Ranch Road (US 60 milepost [MP] 145.6) (see Figures 1 and 2). This project is part of the Maricopa Association of Government's Regional Transportation Plan. The project area is located within the City of El Mirage in Maricopa County. The planning, design, and construction process for the proposed project will be conducted in cooperation with the City of El Mirage.

The *Draft US 60 Improvements Feasibility Report; US 60, Grand Avenue (SR 303L to SR 101L)* (2008), prepared by ADOT, identified three top priority projects; including the US 60, Grand Avenue Thunderbird Road intersection. The feasibility report identified the need for capacity enhancements and recommended that a project assessment and environmental document be prepared and additional options be considered for implementation. Additionally, the *El Mirage Road, Northern Avenue to Bell Road Final Design Concept Report* (DCR) (2009) prepared for the Maricopa County Department of Transportation (MCDOT) identified a similar concept to the ADOT Feasibility Report.

This project will evaluate a build and a no-build alternative for intersection improvements at the intersection of US 60 and Thunderbird Road/Thompson Ranch Road. The no-build alternative will be evaluated to provide the baseline comparison for the build alternative. The build alternative would realign and widen Thunderbird Road south of US 60 to improve traffic flow through the intersection. Thompson Ranch Road would also be widened at the intersection, where it crosses the Burlington Northern Santa Fe Railway's tracks. Figure 2 shows a preliminary concept for the proposed intersection improvements derived from the ADOT Feasibility Report and MCDOT DCR. While the previously completed reports identify one potential alternative, this study will evaluate a larger range of feasible alternatives before selecting a recommended build alternative.

Ms. Laura Canaca
Page 2
060 MA 145 H8374 01L
October 7, 2011

The project may require additional right-of-way for Thunderbird Road, Thompson Ranch Road, and for the realignment of the frontage road south of US 60 (see Figure 2). The need for temporary construction easements (TCE) has not been determined. Any TCEs, if required, would be evaluated prior to construction.

This letter serves as your invitation to review the proposed project based upon the scope of work outlined above. If you have any specific concerns or suggestions pertaining to this specific proposed project, please let us know. An agency scoping meeting is scheduled for 9:00 AM, Wednesday, October 26, 2011, at the ADOT Valley Project Management Large Conference Room, 1611 W. Jackson Street, Phoenix, Arizona. The agency scoping meeting will be held concurrent with the project kick-off meeting. You will be contacted with additional information about this meeting in the near future. You may wish to withhold submittal of any comments until after this meeting if you plan on attending.

A list of species potentially occurring within the project area was obtained using the Arizona Game and Fish Department (AGFD) On-Line Environmental Review Tool. This project was submitted on-line for your review on September 26, 2011 and recorded under Search ID 20110926016175. Information regarding the project location was reviewed by ADOT and determined to be accurate. If you or others in your agency have any specific concerns, suggestions, or recommendations pertaining to this specific project, please let us know. This can include information on wildlife movement, habitat issues, or seasonal concerns, to name a few.

If AGFD would like to have continued involvement with this project please include an expression of interest, individual contact information, and a description of specific concerns. In no concerns or requests for future coordination are identified, ADOT will consider our coordination complete for this project.

Please submit your comments or concerns by **November 2, 2011**, to Rosalinda Federico c/o Douglas L. Smith, AECOM Technical Services, Inc., 2325 E. Camelback Road, Suite 200, Phoenix, Arizona 85016; email to Doug.Smith2@aecom.com; or fax to (602) 337-2620. Thank you for your time and assistance.

We appreciate your review of this information and consideration of this project.

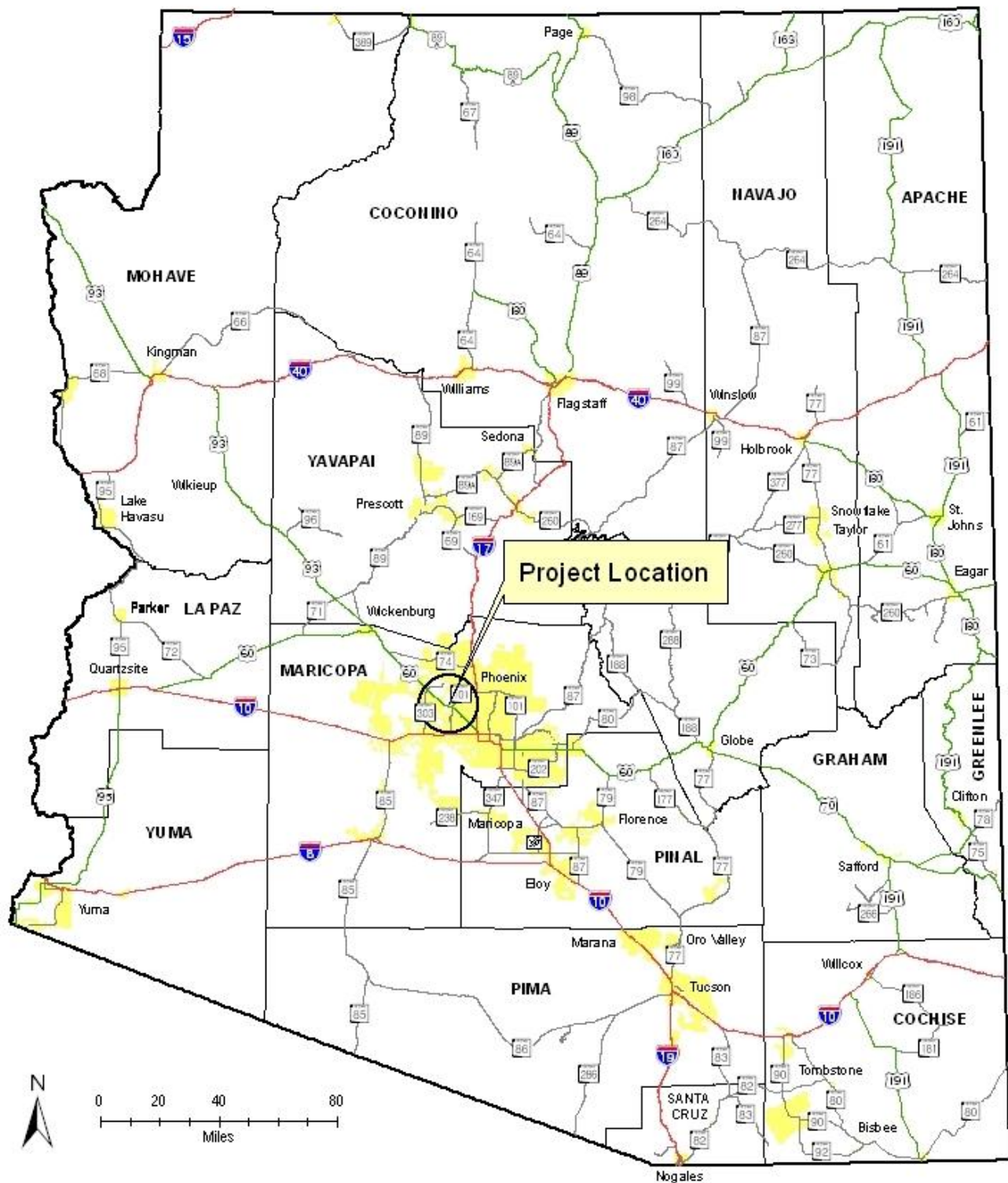
Sincerely,



Rosalinda Federico
ADOT Environmental Planning Group

Enclosures: Figure 1 – Arizona State Map
Figure 2 – Project Location

cc: Mohammad A. Zaid, ADOT Project Manager
Douglas L. Smith, AECOM Technical Services, Inc., Phoenix



NH-060-B(208)A
 060 MA 145 H8374 01L
 US60/Thunderbird Road Intersection

Figure 1. State Location Map



**Design Concept Shown in MCDOT EI
Mirage Road Study DCR**



NH-060-B(208)A
060 MA 145 H8374 01L
US60/Thunderbird Road Intersection

Figure 2. Project Vicinity Map



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

5000 W. CAREFREE HIGHWAY
PHOENIX, AZ 85086-5000
(602) 942-3000 • WWW.AZGFD.GOV

GOVERNOR
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DEPUTY DIRECTORS
GARY R. HOVATTER
BOB BROSCHEID



November 8, 2011

Rosalinda Federico c/o Douglas L. Smith
AECOM Technical Services, Inc.
2325 Camelback Road, Suite 200
Phoenix, AZ 85016

RECEIVED/SENT

NOV 10 2011

Control #: _____
Description: _____

Re: Environmental Review: NH-060-B(208)A
060 MA 145 H8374 01L
US60/Thunderbird Road Intersection

Dear Mr Smith:

The Arizona Game and Fish Department (Department) has reviewed your request, dated October 7, 2011, regarding the proposed intersection improvements project at the intersection of United States Route 60 (US 60) and Thunderbird Road/Thompson Ranch Road in Maricopa County, AZ.

We have reviewed the information packet provided to us in your letter. Since the proposed project is located in previously disturbed areas and/or includes modifications to existing structures, the Department does not anticipate any significant adverse impacts to wildlife resources would occur as a result of this project. The receipt you received from the On-Line Environmental Review Tool should provide general recommendations and additional contact information.

The Department appreciates the opportunity to provide an evaluation of impacts to wildlife or wildlife habitats associated with the project activities. If you have any questions regarding this letter, please contact me at (623) 236-7486.

Sincerely,

Chip Young
Project Evaluation Specialist

cc: Laura Canaca, Project Evaluation Program Supervisor
Kelly Wolff-Krauter, Habitat Program Manager, Region VI

AGFD #M11-10182715

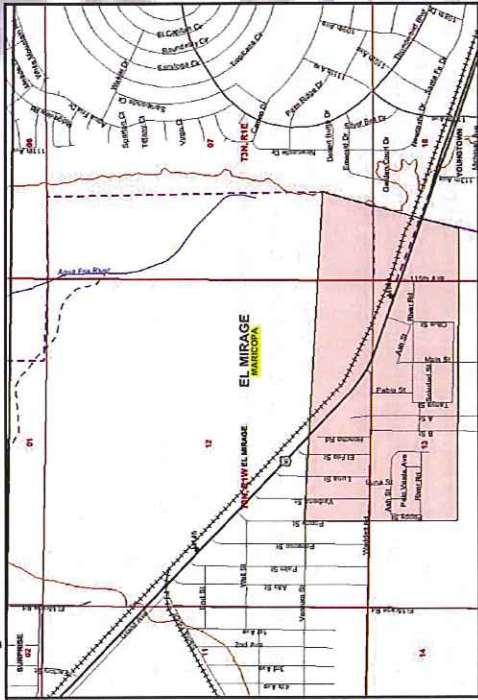
Arizona's On-line Environmental Review Tool

Search ID: 20110926016175

Project Name: US 60 & Thunderbird

Date: 9/26/2011 1:01:05 PM

Project Location



Project Name: US 60 & Thunderbird

Submitted By: Douglas Smith

On behalf of: ADOT

Project Search ID: 20110926016175

Date: 9/26/2011 1:01:02 PM

Project Category: Transportation & Infrastructure, Road Improvements, Traffic control intersection (Includes turning lanes, lights, etc.)

Project Coordinates (UTM Zone 12-NAD 83): 378278.003, 3719499.299 meter

Project Area: 269.944 acres

Project Perimeter: 4501.939 meter

County: MARICOPA

USGS 7.5 Minute Quadrangle ID: 1249

Quadrangle Name: EL MIRAGE

Project locality is currently being scoped

Location Accuracy Disclaimer

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Receipt is solely responsible for the project location and thus the correctness of the Project Review Receipt content.

The Department appreciates the opportunity to provide in-depth comments and project review when additional information or environmental documentation becomes available.

Special Status Species Occurrences/Critical Habitat/Tribal Lands within 2 miles of Project Vicinity:

No special status species were documented as occurring within the project vicinity. However, further field investigations of the project area are highly recommended. Site visits may reveal previously unrecorded resources of special concern in locations where they are currently undocumented.

No proposed or designated critical habitat is within the project vicinity.

No Indian tribal lands are within the project vicinity.

management programs, and to provide wildlife resources and safe watercraft and off-highway vehicle recreation for the enjoyment, appreciation, and use by present and future generations.

Project Category: Transportation & Infrastructure, Road Improvements, Traffic control intersection (Includes turning lanes, lights, etc.)

Project Type Recommendations:

Based on the project type entered; coordination with State Historic Preservation Office may be required
<http://azstateparks.com/SHPO/index.html>

Development plans should provide for open natural space for wildlife movement, while also minimizing the potential for wildlife-human interactions through design features. Please contact Project Evaluation Program for more information on living with urban wildlife.

During planning and construction, minimize potential introduction or spread of exotic invasive species. Invasive species can be plants, animals (exotic snails), and other organisms (e.g. microbes), which may cause alteration to ecological functions or compete with or prey upon native species and can cause social impacts (e.g. livestock forage reduction, increase wildfire risk). The terms noxious weed or invasive plants are often used interchangeably. Precautions should be taken to wash all equipment utilized in the project activities before and after project activities to reduce the spread of invasive species. Arizona

has noxious weed regulations (Arizona Revised Statutes, Rules R3-4-244 and R3-4-245). See Arizona Department of Agriculture website for restricted plants
<http://www.azda.gov/PSD/quarantine5.htm>. Additionally, the U.S. Department of Agriculture has information regarding pest and invasive plant control methods including: pesticide, herbicide, biological control agents, and mechanical control:
<http://www.usda.gov/wps/portal/usdahome>. The Department regulates the importation, purchasing, and transportation of wildlife and fish (Restricted Live Wildlife), please refer to the hunting regulations for further information http://www.azgfd.gov/hunting_rules.shtml.

Minimization and mitigation of impacts to wildlife and fish species due to changes in water quality, quantity, chemistry, temperature, and alteration to flow regimes (timing, magnitude, duration, and frequency of floods) should be evaluated. Minimize impacts to springs, in-stream flow, and consider irrigation improvements to decrease water use. If dredging is a project component, consider timing of the project in order to minimize impacts to spawning fish and other aquatic species (including spawning seasons), and to reduce spread of exotic invasive species. We recommend early direct coordination with Project Evaluation Program for projects that could impact water resources, wetlands, streams, springs, and/or riparian habitats.

Planning: consider impacts of lighting intensity on mammals and birds and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use.

The Department recommends that wildlife surveys are conducted to determine if noise-sensitive species occur within the project area. Avoidance or minimization measures could include conducting project activities outside of breeding seasons.

Arizona's On-line Environmental Review Tool

Search ID: 20110926016175

Project Name: US 60 & Thunderbird

Date: 9/26/2011 1:01:05 PM

this system expressly consents to such monitoring and is advised that if such monitoring reveals possible evidence of criminal activity, system personnel may provide the evidence of such monitoring to law enforcement officials. Unauthorized attempts to upload or change information; to defeat or circumvent security measures; or to utilize this system for other than its intended purposes are prohibited.

This website maintains a record of each environmental review search result as well as all contact information. This information is maintained for internal tracking purposes. Information collected in this application will not be shared outside of the purposes of the Department.

If the Environmental Review Receipt and supporting material are not mailed to the Department or other appropriate agencies within six (6) months of the Project Review Receipt date, the receipt is considered to be null and void, and a new review must be initiated.

Print this Environmental Review Receipt using your Internet browser's print function and keep it for your records. Signature of this receipt indicates the signer has read and understands the information provided.

Signature: _____

Date: _____

Proposed Date of Implementation: _____

Please provide point of contact information regarding this Environmental Review.

Application or organization responsible for project implementation

Agency/organization: _____

Contact Name: _____

Address: _____

City, State, Zip: _____

Phone: _____

E-mail: _____

Person Conducting Search (if not applicant)

Agency/organization: _____

Contact Name: _____

Address: _____

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Section 106 Consultation

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Summary of Cultural Resources Consultation

Recipient	Response Received	Date of Response
1st Consultation, May 23, 2012 (project)		
BNSF Railway	No	
City of El Mirage	Yes	06/02/2012
Fort Mojave Tribe	No	
Hopi Tribe	Yes	05/30/2012
Maricopa County Department of Transportation	Yes	06/25/2012
Pascua Yaqui Tribe	No	
San Carlos Apache Nation	No	
State Historic Preservation Office	Yes	06/12/2012
Salt River Pima-Maricopa Indian Community	No	
Tonto Apache Tribe	No	
Yavapai-Apache Nation	No	
2nd Consultation, May 20, 2013 (storm sewer extension)		
BNSF Railway	No	
City of El Mirage	No	
Fort Mojave Tribe	No	
Hopi Tribe	Yes	05/28/2013
Maricopa County Department of Transportation	Yes	06/20/2013
Pascua Yaqui Tribe	No	
San Carlos Apache Nation	Yes	05/31/2013
State Historic Preservation Office	Yes	05/28/2013
Salt River Pima-Maricopa Indian Community	No	
Tonto Apache Tribe	Yes	05/28/2013
Yavapai-Apache Nation	No	



U.S. Department
of Transportation
**Federal Highway
Administration**

ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
(602) 379-3646
Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

May 23, 2012

In Reply Refer To:
NH-060-B(213)A
HOP-AZ

NH-060-B(213)A
TRACS No. 060 MA 145 H8374 01L
US 60/Thunderbird Road
Section 106 Consultation
"no adverse effect"

Mr. Lance Calvert, City Engineer
City of El Mirage
12145 NW Grand Avenue, Suite 8
P. O. Box 26
El Mirage, Arizona 85335

Dear Mr. Calvert:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning an intersection improvement project along US 60 (Grand Avenue) from milepost (MP) 145.3 to MP 145.9 in the City of El Mirage, Maricopa County. As this project is qualified for federal funding, it is considered an undertaking subject to Section 106 review. This project occurs on ADOT easement across land owned by the City of El Mirage, on Burlington Northern Santa Fe Railroad (BNSF)-owned land, and on ADOT right-of-way (ROW) across private land. Consulting parties for this project include FHWA, ADOT, the City of El Mirage, BNSF, the Maricopa County Department of Transportation, the State Historic Preservation Office (SHPO), the Fort Mojave Indian Tribe, the Hopi Tribe, the Pascua Yaqui Tribe, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the Tonto Apache Tribe, and the Yavapai-Apache Nation.

The scope of this project would involve the realigning and widening of portions of the intersection of Grand Avenue, Thunderbird Road, and Thompson Ranch Road. New ROW and/or temporary construction easements are anticipated for this project. The area of potential effects (APE) includes an irregularly-shaped 68.6-acre parcel of land located along Grand Avenue between MP 145.3 and MP 145.9 near the intersection of Thunderbird Road. The APE has a maximum dimension of approximately 3,200 feet east to west by 2,600 feet north to south.

A portion of the APE, approximately 32.6 acres, has been surveyed by Jacobs Engineering Group Inc. (Jacobs) in conjunction with the current undertaking. The remaining portions of the APE were not surveyed due to the extensive commercial and residential development of the area. The survey results are reported in *"A Cultural Resources Survey of Approximately 68.6 Acres for Proposed Intersection Improvements to US 60 at Thunderbird Road, Milepost 145.3 to 145.9, El Mirage, Maricopa County, Arizona"* (Stubing 2012), and are enclosed for your review and comment.

During the survey, two sites were identified within the APE. Site AZ N:3:32 (ASM), the historic Santa Fe, Prescott, and Phoenix Railway Line, extends through the APE. It consists of the in-use tracks of the

modern BNSF Railway. AZ N:3:32 (ASM) has been previously determined eligible for inclusion in the National Register of Historic Places (NRHP) under Criterion A. Although the proposed intersection improvements would widen the crossing of the railroad, at-grade crossings meet the *Secretary of the Interior's Standards for Rehabilitation and Restoration*, and would not diminish the integrity of the historic property. The overall route of the railroad would be maintained and, therefore, there would be no adverse effect.

Site AZ V:2:101 (ASM), historic Grand Avenue, also extends through the APE. According to the *Interim Procedures for the Treatment of Historic Road* (November 15, 2002), Grand Avenue is recognized as part of the Historic State Highway System and is eligible for the NRHP under Criterion D. Although the site as a whole is eligible, the segment of AZ V:2:101 (ASM) within the current APE has been subjected to extensive, recent modifications including widening to accommodate extra lanes and relocation of shoulders. Because the integrity of the road has been diminished by these modifications, FHWA recommends this segment of AZ V:2:101 (ASM) within the APE be considered a non-contributing element to the overall eligible site.

Because AZ N:3:32 (ASM) would not be adversely affected and the segment of AZ V:2:101 (ASM) is a non-contributing segment, FHWA has determined that a finding of "no adverse effect" is appropriate for this project. If SHPO concurs with this finding, FHWA intends to use SHPO's concurrence to support a *de minimis* impact determination in accordance with Section 4(f) of the Department of Transportation Act. A *de minimis* finding with respect to historic resources means that impacts from the proposed project have been determined to have "no adverse effect" in compliance with Section 106 of the National Historic Preservation Act.

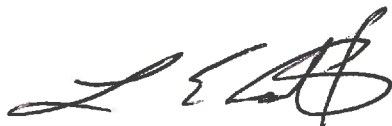
Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with FHWA's eligibility recommendations and determination of project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact J. Matthew Mallery at (928) 779-7595 or e-mail jmallery@azdot.gov.

Sincerely yours,

JUL 2 2012


for

Karla S. Petty
Division Administrator



Signature for City of El Mirage Concurrence
NH-060-B(213)A

6/27/12

Date

Enclosure



U.S. Department
of Transportation
**Federal Highway
Administration**

ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
(602) 379-3646
Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

May 23, 2012

In Reply Refer To:
NH-060-B(213)A
HOP-AZ

NH-060-B(213)A
TRACS No. 060 MA 145 H8374 01L
US 60/Thunderbird Road
Section 106 Consultation
"no adverse effect"

Mr. Leigh Kuwanwisiwma, Director
Hopi Tribe, Cultural Preservation Office
P.O. Box 123
Kykotsmovi, Arizona 86039

Dear Mr. Kuwanwisiwma:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning an intersection improvement project along US 60 (Grand Avenue) from milepost (MP) 145.3 to MP 145.9 in the City of El Mirage, Maricopa County. As this project is qualified for federal funding, it is considered an undertaking subject to Section 106 review. This project occurs on ADOT easement across land owned by the City of El Mirage, on Burlington Northern Santa Fe Railroad (BNSF)-owned land, and on ADOT right-of-way (ROW) across private land. Consulting parties for this project include FHWA, ADOT, the City of El Mirage, BNSF, the Maricopa County Department of Transportation, the State Historic Preservation Office (SHPO), the Fort Mojave Indian Tribe, the Hopi Tribe, the Pascua Yaqui Tribe, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the Tonto Apache Tribe, and the Yavapai-Apache Nation.

The scope of this project would involve the realigning and widening of portions of the intersection of Grand Avenue, Thunderbird Road, and Thompson Ranch Road. New ROW and/or temporary construction easements are anticipated for this project. The area of potential effects (APE) includes an irregularly-shaped 68.6-acre parcel of land located along Grand Avenue between MP 145.3 and MP 145.9 near the intersection of Thunderbird Road. The APE has a maximum dimension of approximately 3,200 feet east to west by 2,600 feet north to south.

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During the survey, two sites were identified within the APE. Site AZ N:3:32 (ASM), the historic Santa Fe, Prescott, and Phoenix Railway Line, extends through the APE. It consists of the in-use tracks of the modern BNSF Railway. AZ N:3:32 (ASM) has been previously determined eligible for inclusion in the

National Register of Historic Places (NRHP) under Criterion A. Although the proposed intersection improvements would widen the crossing of the railroad, at-grade crossings meet the *Secretary of the Interior's Standards for Rehabilitation and Restoration*, and would not diminish the integrity of the historic property. The overall route of the railroad would be maintained and, therefore, there would be no adverse effect.

Site AZ V:2:101 (ASM), historic Grand Avenue, also extends through the APE. According to the *Interim Procedures for the Treatment of Historic Road* (November 15, 2002), Grand Avenue is recognized as part of the Historic State Highway System and is eligible for the NRHP under Criterion D. Although the site as a whole is eligible, the segment of AZ V:2:101 (ASM) within the current APE has been subjected to extensive, recent modifications including widening to accommodate extra lanes and relocation of shoulders. Because the integrity of the road has been diminished by these modifications, FHWA recommends this segment of AZ V:2:101 (ASM) within the APE be considered a non-contributing element to the overall eligible site.

Because AZ N:3:32 (ASM) would not be adversely affected and the segment of AZ V:2:101 (ASM) is a non-contributing segment, FHWA has determined that a finding of "no adverse effect" is appropriate for this project. If SHPO concurs with this finding, FHWA intends to use SHPO's concurrence to support a *de minimis* impact determination in accordance with Section 4(f) of the Department of Transportation Act. A *de minimis* finding with respect to historic resources means that impacts from the proposed project have been determined to have "no adverse effect" in compliance with Section 106 of the National Historic Preservation Act.

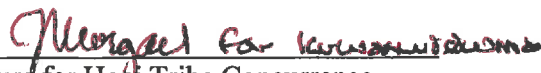
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Sincerely yours,



Karla S. Petty
Division Administrator

MAY 30 2012


Signature for Hopi Tribe Concurrence
NH-060-B(213)A

Date

5-29-12

Enclosure



U.S. Department
of Transportation
**Federal Highway
Administration**

ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
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(602) 379-3646
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May 23, 2012

RECEIVED
MAY 25 2012

In Reply Refer To:
NH-060-B(213)A
HOP-AZ

NH-060-B(213)A
TRACS No. 060 MA 145 H8374 01L
US 60/Thunderbird Road
Section 106 Consultation
"no adverse effect"

Mr. Hugh Davidson, Environmental Program Manager
Maricopa County Department of Transportation
2901 West Durango
Phoenix, Arizona 85009

Dear Mr. Davidson:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning an intersection improvement project along US 60 (Grand Avenue) from milepost (MP) 145.3 to MP 145.9 in the City of El Mirage, Maricopa County. As this project is qualified for federal funding, it is considered an undertaking subject to Section 106 review. This project occurs on ADOT easement across land owned by the City of El Mirage, on Burlington Northern Santa Fe Railroad (BNSF)-owned land, and on ADOT right-of-way (ROW) across private land. Consulting parties for this project include FHWA, ADOT, the City of El Mirage, BNSF, the Maricopa County Department of Transportation, the State Historic Preservation Office (SHPO), the Fort Mojave Indian Tribe, the Hopi Tribe, the Pascua Yaqui Tribe, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the Tonto Apache Tribe, and the Yavapai-Apache Nation.

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National Register of Historic Places (NRHP) under Criterion A. Although the proposed intersection improvements would widen the crossing of the railroad, at-grade crossings meet the *Secretary of the Interior's Standards for Rehabilitation and Restoration*, and would not diminish the integrity of the historic property. The overall route of the railroad would be maintained and, therefore, there would be no adverse effect.

Site AZ V:2:101 (ASM), historic Grand Avenue, also extends through the APE. According to the *Interim Procedures for the Treatment of Historic Road* (November 15, 2002), Grand Avenue is recognized as part of the Historic State Highway System and is eligible for the NRHP under Criterion D. Although the site as a whole is eligible, the segment of AZ V:2:101 (ASM) within the current APE has been subjected to extensive, recent modifications including widening to accommodate extra lanes and relocation of shoulders. Because the integrity of the road has been diminished by these modifications, FHWA recommends this segment of AZ V:2:101 (ASM) within the APE be considered a non-contributing element to the overall eligible site.

Because AZ N:3:32 (ASM) would not be adversely affected and the segment of AZ V:2:101 (ASM) is a non-contributing segment, FHWA has determined that a finding of "no adverse effect" is appropriate for this project. If SHPO concurs with this finding, FHWA intends to use SHPO's concurrence to support a *de minimis* impact determination in accordance with Section 4(f) of the Department of Transportation Act. A *de minimis* finding with respect to historic resources means that impacts from the proposed project have been determined to have "no adverse effect" in compliance with Section 106 of the National Historic Preservation Act.

Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with FHWA's eligibility recommendations and determination of project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact J. Matthew Mallery at (928) 779-7595 or e-mail jmallery@azdot.gov.

Sincerely yours,



Karla S. Petty
Division Administrator

Signature for MCDOT Concurrence
NH-060-B(213)A

Date

Enclosure

- NO CONCURRENCE -
Walter Davidson
MCDOT 6/25/12



U.S. Department
of Transportation
**Federal Highway
Administration**

ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
(602) 379-3646
Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

May 23, 2012

In Reply Refer To:
NH-060-B(213)A
HOP-AZ

NH-060-B(213)A
TRACS No. 060 MA 145 H8374 01L
US 60/Thunderbird Road
Section 106 Consultation
"no adverse effect"

Dr. David Jacobs, Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 West Washington Street
Phoenix, Arizona 85007

RECEIVED

MAY 25 2012

ARIZONA STATE PARKS/S.H.P.O.

Dear Dr. Jacobs:

land { The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning an intersection improvement project along US 60 (Grand Avenue) from milepost (MP) 145.3 to MP 145.9 in the City of El Mirage, Maricopa County. As this project is qualified for federal funding, it is considered an undertaking subject to Section 106 review. This project occurs on ADOT easement across land owned by the City of El Mirage, on Burlington Northern Santa Fe Railroad (BNSF)-owned land, and on ADOT right-of-way (ROW) across private land. Consulting parties for this project include FHWA, ADOT, the City of El Mirage, BNSF, the Maricopa County Department of Transportation, the State Historic Preservation Office (SHPO), the Fort Mojave Indian Tribe, the Hopi Tribe, the Pascua Yaqui Tribe, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the Tonto Apache Tribe, and the Yavapai-Apache Nation. }

The scope of this project would involve the realigning and widening of portions of the intersection of Grand Avenue, Thunderbird Road, and Thompson Ranch Road. New ROW and/or temporary construction easements are anticipated for this project. The area of potential effects (APE) includes an irregularly-shaped 68.6-acre parcel of land located along Grand Avenue between MP 145.3 and MP 145.9 near the intersection of Thunderbird Road. The APE has a maximum dimension of approximately 3,200 feet east to west by 2,600 feet north to south.

A portion of the APE, approximately 32.6 acres, has been surveyed by Jacobs Engineering Group Inc. (Jacobs) in conjunction with the current undertaking. The remaining portions of the APE were not surveyed due to the extensive commercial and residential development of the area. The survey results are reported in "*A Cultural Resources Survey of Approximately 68.6 Acres for Proposed Intersection Improvements to US 60 at Thunderbird Road, Milepost 145.3 to 145.9, El Mirage, Maricopa County, Arizona*" (Stubing 2012), and are enclosed for your review and comment.

During the survey, two sites were identified within the APE. Site AZ N:3:32 (ASM), the historic Santa Fe, Prescott, and Phoenix Railway Line, extends through the APE. It consists of the in-use tracks of the


modern BNSF Railway. AZ N:3:32 (ASM) has been previously determined eligible for inclusion in the National Register of Historic Places (NRHP) under Criterion A. Although the proposed intersection improvements would widen the crossing of the railroad, at-grade crossings meet the *Secretary of the Interior's Standards for Rehabilitation and Restoration*, and would not diminish the integrity of the historic property. The overall route of the railroad would be maintained and, therefore, there would be no adverse effect.

Site AZ V:2:101 (ASM), historic Grand Avenue, also extends through the APE. According to the *Interim Procedures for the Treatment of Historic Road* (November 15, 2002), Grand Avenue is recognized as part of the Historic State Highway System and is eligible for the NRHP under Criterion D. Although the site as a whole is eligible, the segment of AZ V:2:101 (ASM) within the current APE has been subjected to extensive, recent modifications including widening to accommodate extra lanes and relocation of shoulders. Because the integrity of the road has been diminished by these modifications, FHWA recommends this segment of AZ V:2:101 (ASM) within the APE be considered a non-contributing element to the overall eligible site.

Because AZ N:3:32 (ASM) would not be adversely affected and the segment of AZ V:2:101 (ASM) is a non-contributing segment, FHWA has determined that a finding of "no adverse effect" is appropriate for this project. If SHPO concurs with this finding, FHWA intends to use SHPO's concurrence to support a *de minimis* impact determination in accordance with Section 4(f) of the Department of Transportation Act. A *de minimis* finding with respect to historic resources means that impacts from the proposed project have been determined to have "no adverse effect" in compliance with Section 106 of the National Historic Preservation Act.

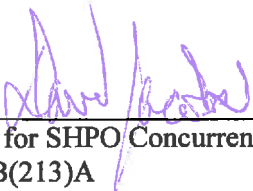
Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with FHWA's eligibility recommendations and determination of project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact J. Matthew Mallery at (928) 779-7595 or e-mail jmallery@azdot.gov.

Sincerely yours,


for

Karla S. Petty
Division Administrator

JUN 8 2012



Signature for SHPO Concurrence
NH-060-B(213)A



Date

Enclosure

CC: Matt Mallery, AZDOT



Arizona Department of Transportation

Environmental Planning Group

MEMORANDUM

To: Daniel Gabiou, ADOT EPG
Jewel Touchin, Jacobs

Date: July 9, 2012

From: J. Matthew Mallery, ADOT EPG
Historic Preservation Specialist

Subject: Project No. NH-060-B(213)A
TRACS No. 060 MA 145 H8374 01L
US 60/Thunderbird Road
"no adverse effect"

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) initiated consultation with the Arizona State Historic Preservation Office (SHPO), the City of El Mirage, Burlington Northern Santa Fe Railroad, the Maricopa County Department of Transportation (MCDOT), the Fort Mojave Indian Tribe, the Hopi Tribe, the Pascua Yaqui Tribe, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the Tonto Apache Tribe, and the Yavapai-Apache Nation on a determination of "no adverse effect" on May 23, 2012. Concurrences were received from SHPO, the City of El Mirage, and the Hopi Tribe. MCDOT responded saying they did not concur. After a series of email discussions with MCDOT, and a teleconference between FHWA, ADOT EPG management, and ADOT HPT, it was determined that re-consultation was not necessary and the consultation process should move forward.

At this time, FHWA has determined that this project proceed with a finding of "no adverse effect." If the remaining parties opt to participate in cultural resource consultation for this project at a later date, FHWA / ADOT will make a good faith effort to address any concerns they may have. However, such consultation will not necessitate a reconsideration of this determination of project effect.

Jacobs, because all consultation for this project is now complete, and in accordance with Section 4.7 of the Historic Preservation Team (HPT) Handbook, within 2 weeks of receipt of this memo please enter the project information into the HPT Portal, if appropriate. This includes uploading all applicable reports, cultural resource locations and information, and all associated consultation letters. Please contact me via e-mail or telephone to inform me once this information has been uploaded to the Portal.

If you have any questions about this clearance, please feel free to contact me at (928) 779-7595 or by e-mail at JMallery@azdot.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Mallery", is written over the typed name.

J. Matthew Mallery
Historic Preservation Specialist



U.S. Department
of Transportation
**Federal Highway
Administration**

ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

May 20, 2013

RECEIVED
MAY 22 2013

BY: CPO

In Reply Refer To:
NH-060-B(208)A
HOP-AZ

NH-060-B(208)A
TRACS No. 060 MA 146 H8374 01L
US 60/Thunderbird Road
Continuing Section 106 Consultation

Mr. Leigh Kuwanwisiwma, Director
Cultural Preservation Office
Hopi Tribe
P.O. Box 123
Kykotsmovi, Arizona 86039

Dear Mr. Kuwanwisiwma:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning an intersection reconstruction project along US 60 (Grand Avenue) from milepost (MP) 145.30 to MP 145.90 in the City of El Mirage, Maricopa County. As this project is qualified for federal funding, it is considered an undertaking subject to Section 106 review. The project occurs on ADOT easement across land owned by the City of El Mirage, on BNSF Railway-owned land, and on ADOT right-of-way (ROW) across private land. Consulting parties for this project include FHWA, ADOT, the City of El Mirage, BNSF, the Maricopa County Department of Transportation, the State Historic Preservation Office (SHPO), the Fort Mojave Indian Tribe, the Hopi Tribe, the Pascua Yaqui Tribe, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the Tonto Apache Tribe, and the Yavapai-Apache Nation.

Previous consultation outlined the project scope, consulting parties, and indicated that 32.6 acres of the area of potential effects (APE) had been surveyed by Jacobs Engineering Group Inc. (Jacobs) in conjunction with the current undertaking; the remaining portions of the APE (i.e., 36.0 acres) were not surveyed due to the extensive commercial and residential development of the area. The results were reported in "*A Cultural Resources Survey of Approximately 68.6 Acres for Proposed Intersection Improvements to US 60 at Thunderbird Road, Milepost 145.3 to 145.9, El Mirage, Maricopa County, Arizona*" (Stubing 2012). At that time, a finding of "no adverse effect" was recommended for the project and SHPO concurred with the recommendation on June 6, 2012 (Mallery [ADOT] and Petty [FHWA] to Jacobs [SHPO], May 23, 2012).

The APE has recently been expanded to include an additional 1.35 acres adjacent to and east of the initial APE. The 1.35 acres is on private land south of US 60 from milepost (MP) 145.94 to

MP 146.19 and will be used to install a new 42-inch storm drain pipe and manhole. Although the pipe and the manhole installation will occur within the existing US 60 ROW, an area along the US 60 frontage road to provide an access route during construction also was investigated.

The additional APE has been surveyed for cultural resources by Jacobs. The results are reported in "*Cultural Resources Survey of Approximately 1.35 Acres for Storm Drain Installation in the Vicinity of US 60 and the Agua Fria River, El Mirage, Maricopa County, Arizona*" (Touchin 2013), which is enclosed for your review and comment. Three features/concrete pads were identified within the survey area. Because the features do not qualify for inclusion in the National Register of Historic Places, FHWA has determined that a finding of "no adverse effect" is still appropriate for this project.

Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with FHWA's eligibility recommendations and determination of project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact J. Matthew Mallery at (928) 779-7595 or e-mail jmallery@azdot.gov.

Sincerely yours,

Karla S. Petty
Division Administrator

MAY 28 2013

Signature for Hopi Tribe Concurrence
NH-060-B(208)A

Date

Enclosure



U.S. Department
of Transportation
Federal Highway
Administration

ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

May 20, 2013

In Reply Refer To:
NH-060-B(208)A
HOP-AZ

NH-060-B(208)A
TRACS No. 060 MA 146 H8374 01L
US 60/Thunderbird Road
Continuing Section 106 Consultation

Mr. Hugh Davidson, Environmental Program Manager
Maricopa County Department of Transportation
2901 West Durango
Phoenix, Arizona 85009

Dear Mr. Davidson:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning an intersection reconstruction project along US 60 (Grand Avenue) from milepost (MP) 145.30 to MP 145.90 in the City of El Mirage, Maricopa County. As this project is qualified for federal funding, it is considered an undertaking subject to Section 106 review. The project occurs on ADOT easement across land owned by the City of El Mirage, on BNSF Railway-owned land, and on ADOT right-of-way (ROW) across private land. Consulting parties for this project include FHWA, ADOT, the City of El Mirage, BNSF, the Maricopa County Department of Transportation (MCDOT), the State Historic Preservation Office (SHPO), the Fort Mojave Indian Tribe, the Hopi Tribe, the Pascua Yaqui Tribe, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the Tonto Apache Tribe, and the Yavapai-Apache Nation.

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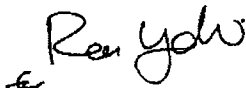
The APE has recently been expanded to include an additional 1.35 acres adjacent to and east of the initial APE. The 1.35 acres is on private land south of US 60 from milepost (MP) 145.94 to MP 146.19 and will be used to install a new 42-inch storm drain pipe and manhole. Although the

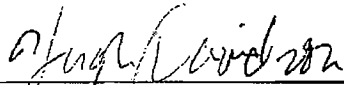
pipe and the manhole installation will occur within the existing US 60 ROW, an area along the US 60 frontage road to provide an access route during construction also was investigated.

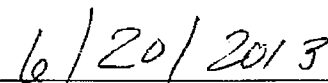
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Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with FHWA's eligibility recommendations and determination of project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact J. Matthew Mallery at (928) 779-7595 or e-mail jmallery@azdot.gov.

Sincerely yours,


fr
Karla S. Petty
Division Administrator


Signature for MCDOT Concurrence
NH-060-B(208)A


Date

Enclosure



U.S. Department
of Transportation
**Federal Highway
Administration**

ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
Fax: (602) 382-8998

<http://www.fhwa.dot.gov/azdiv/index.htm>

May 20, 2013

In Reply Refer To:
NH-060-B(208)A
HOP-AZ

NH-060-B(208)A
TRACS No. 060 MA 146 H8374 01L
US 60/Thunderbird Road
Continuing Section 106 Consultation

Mr. Terry Rambler, Chairman
San Carlos Apache Tribe
P.O. Box 0
San Carlos, Arizona 85550

Dear Chairman Rambler:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning an intersection reconstruction project along US 60 (Grand Avenue) from milepost (MP) 145.30 to MP 145.90 in the City of El Mirage, Maricopa County. As this project is qualified for federal funding, it is considered an undertaking subject to Section 106 review. The project occurs on ADOT easement across land owned by the City of El Mirage, on BNSF Railway-owned land, and on ADOT right-of-way (ROW) across private land. Consulting parties for this project include FHWA, ADOT, the City of El Mirage, BNSF, the Maricopa County Department of Transportation, the State Historic Preservation Office (SHPO), the Fort Mojave Indian Tribe, the Hopi Tribe, the Pascua Yaqui Tribe, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the Tonto Apache Tribe, and the Yavapai-Apache Nation.

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The APE has recently been expanded to include an additional 1.35 acres adjacent to and east of the initial APE. The 1.35 acres is on private land south of US 60 from milepost (MP) 145.94 to MP 146.19 and will be used to install a new 42-inch storm drain pipe and manhole. Although the

pipe and the manhole installation will occur within the existing US 60 ROW, an area along the US 60 frontage road to provide an access route during construction also was investigated.

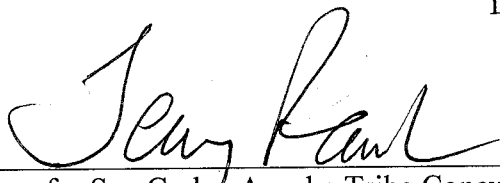
The additional APE has been surveyed for cultural resources by Jacobs. The results are reported in "*Cultural Resources Survey of Approximately 1.35 Acres for Storm Drain Installation in the Vicinity of US 60 and the Agua Fria River, El Mirage, Maricopa County, Arizona*" (Touchin 2013), which is enclosed for your review and comment. Three features/concrete pads were identified within the survey area. Because the features do not qualify for inclusion in the National Register of Historic Places, FHWA has determined that a finding of "no adverse effect" is still appropriate for this project.

Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with FHWA's eligibility recommendations and determination of project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact J. Matthew Mallery at (928) 779-7595 or e-mail jmallery@azdot.gov.

Sincerely yours,

Rebecca Yedlin

Karla S. Petty
Division Administrator



Signature for San Carlos Apache Tribe Concurrence
NH-060-B(208)A

5/31/13
Date

Enclosure

cc:

Vernelda Grant, Tribal Historic Preservation Officer, San Carlos Apache Tribe, P.O. Box 0, San Carlos, Arizona 85550 (w/enclosure)

RYedlin

JMallery (F500)

RYedlin:cdm



U.S. Department
of Transportation
**Federal Highway
Administration**

SHPO- 2012-0529 (112337)

ARIZONA DIVISION

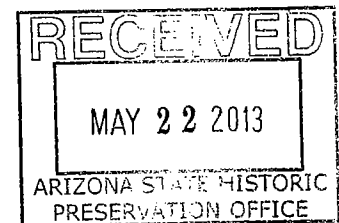
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May 20, 2013

In Reply Refer To:
NH-060-B(208)A
HOP-AZ

NH-060-B(208)A
TRACS No. 060 MA 146 H8374 01L
US 60/Thunderbird Road
Continuing Section 106 Consultation

Dr. David Jacobs, Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 West Washington Street
Phoenix, Arizona 85007



Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning an intersection reconstruction project along US 60 (Grand Avenue) from milepost (MP) 145.30 to MP 145.90 in the City of El Mirage, Maricopa County. As this project is qualified for federal funding, it is considered an undertaking subject to Section 106 review. The project occurs on ADOT easement across land owned by the City of El Mirage, on BNSF Railway-owned land, and on ADOT right-of-way (ROW) across private land. Consulting parties for this project include FHWA, ADOT, the City of El Mirage, BNSF, the Maricopa County Department of Transportation, the State Historic Preservation Office (SHPO), the Fort Mojave Indian Tribe, the Hopi Tribe, the Pascua Yaqui Tribe, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the Tonto Apache Tribe, and the Yavapai-Apache Nation.

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The APE has recently been expanded to include an additional 1.35 acres adjacent to and east of the initial APE. The 1.35 acres is on private land south of US 60 from milepost (MP) 145.94 to MP 146.19 and will be used to install a new 42-inch storm drain pipe and manhole. Although the

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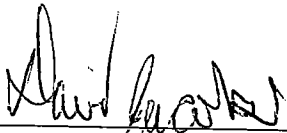
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Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with FHWA's eligibility recommendations and determination of project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact J. Matthew Mallery at (928) 779-7595 or e-mail jmallery@azdot.gov.

Sincerely yours,



Karla S. Petty
Division Administrator



Signature for SHPO Concurrence
NH-060-B(208)A

28 MAY 13

Date

Enclosure

CC: Matt Mallery, ADOT

May 20, 2013

In Reply Refer To:
NH-060-B(208)A
HOP-AZ

NH-060-B(208)A
TRACS No. 060 MA 146 H8374 01L
US 60/Thunderbird Road
Continuing Section 106 Consultation

Mr. Ivan Smith, Chairman
Tonto Apache Tribe
Tonto Apache Reservation #30
Payson, Arizona 85541

Dear Chairman Smith:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning an intersection reconstruction project along US 60 (Grand Avenue) from milepost (MP) 145.30 to MP 145.90 in the City of El Mirage, Maricopa County. As this project is qualified for federal funding, it is considered an undertaking subject to Section 106 review. The project occurs on ADOT easement across land owned by the City of El Mirage, on BNSF Railway-owned land, and on ADOT right-of-way (ROW) across private land. Consulting parties for this project include FHWA, ADOT, the City of El Mirage, BNSF, the Maricopa County Department of Transportation, the State Historic Preservation Office (SHPO), the Fort Mojave Indian Tribe, the Hopi Tribe, the Pascua Yaqui Tribe, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the Tonto Apache Tribe, and the Yavapai-Apache Nation.

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The APE has recently been expanded to include an additional 1.35 acres adjacent to and east of the initial APE. The 1.35 acres is on private land south of US 60 from milepost (MP) 145.94 to MP 146.19 and will be used to install a new 42-inch storm drain pipe and manhole. Although the

pipe and the manhole installation will occur within the existing US 60 ROW, an area along the US 60 frontage road to provide an access route during construction also was investigated.

The additional APE has been surveyed for cultural resources by Jacobs. The results are reported in "*Cultural Resources Survey of Approximately 1.35 Acres for Storm Drain Installation in the Vicinity of US 60 and the Agua Fria River, El Mirage, Maricopa County, Arizona*" (Touchin 2013), which is enclosed for your review and comment. Three features/concrete pads were identified within the survey area. Because the features do not qualify for inclusion in the National Register of Historic Places, FHWA has determined that a finding of "no adverse effect" is still appropriate for this project.

Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with FHWA's eligibility recommendations and determination of project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact J. Matthew Mallery at (928) 779-7595 or e-mail jmallery@azdot.gov.

Sincerely yours,



Karla S. Petty
Division Administrator

MAY 31 2013


Signature for Tonto Apache Tribe Concurrence
NH-060-B(208)A

5-28-13
Date

Enclosure

MEMORANDUM

TO: Joanie Cady, Environmental Planning Group
Jewel Touchin, Jacobs

FROM: J. Matthew Mallery, ADOT EPG, Historic Preservation Team

DATE: June 27, 2013

RE: Project No.: NH-060-B(208)
TRACS NO.: 060 MA 146 H8374 01L
Project Name: US 60/Thunderbird Road
"no adverse effect"

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) continued consultation with the Arizona State Historic Preservation Office (SHPO), the City of El Mirage, BNSF, the Maricopa County Department of Transportation, the Fort Mojave Indian Tribe, the Hopi Tribe, the Pascua Yaqui Tribe, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe (SCAT), the Tonto Apache Tribe (TAT), and the Yavapai-Apache Nation on a finding of "no adverse effect" on May 20, 2013. Concurrences were received from SHPO, SCAT, the Hopi Tribe, and TAT.

At this time, FHWA has determined that this project proceed with a finding of "no adverse effect." If the remaining parties opt to participate in cultural resource consultation for this project at a later date, FHWA / ADOT will make a good faith effort to address any concerns they may have. However, such consultation will not necessitate a reconsideration of this finding of project effect.

Jacobs, because all consultation for this project is now complete, and in accordance with Section 4.7 of the Historic Preservation Team (HPT) Handbook, within 2 weeks of receipt of this memo please enter the project information into the HPT Portal, if appropriate. This includes uploading all applicable reports, cultural resource locations and information, and all associated consultation letters. Please contact me via e-mail or telephone to inform me once this information has been uploaded to the Portal.

If you have any questions about this clearance, please feel free to contact me at (928) 779-7595 or by e-mail at JMallery@azdot.gov.

Sincerely,



J. Matthew Mallery

Historic Preservation Specialist

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De Minimis Letter to BNSF Railway

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U.S. Department
of Transportation
**Federal Highway
Administration**

ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

November 14, 2012

In Reply Refer To:
NH-060-B(208)T
HOP-AZ

NH-060-B(208)T
Section 4(f) *de Minimis* Letter
US 60 / Thunderbird Road Intersection
TRACS No. 060 MA 145 H8374 01L

Mr. Melvin Thomas, Manager Public Projects
BNSF Railway Company
740 East Carnegie Drive
San Bernardino, California 92408

Dear Mr. Thomas:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning an intersection improvement project along US 60 (Grand Avenue) from milepost (MP) 145.3 to MP 145.9 in the City of El Mirage, Maricopa County, Arizona. The proposed project would be located at the intersection of the Thunderbird Road Connector / Thompson Ranch Road (Thunderbird Road) with US 60 (Figures 1 & 2). The intersection is located at US 60 milepost (MP) 145.6. The potential improvements include widening Thompson Ranch Road where it crosses the Burlington Northern Santa Fe (BNSF) Railway tracks. The purpose of this letter is to request your concurrence on the *de minimis* finding as further outlined below.

Transportation Proposal

Thompson Ranch Road is currently four lanes at the railroad crossing and is comprised of a through-lane/right turn-lane and dedicated left-turn lane southbound and two through lanes northbound. The project would widen Thompson Ranch Road to six lanes to provide one right-turn/through southbound lane, one dedicated southbound lane, two southbound Thompson Ranch to eastbound US 60 left-turn lanes, and two northbound Thompson Ranch Road lanes. All widening would occur east of the existing west edge of pavement toward the east and away from the BNSF rail yard.

The purpose of the proposed project is to improve traffic conditions on Thunderbird Road while maintaining traffic conditions on US 60. The widening of Thompson Ranch Road north of US 60 is necessary to match the lane arrangement on the realigned Thunderbird Road, and to provide adequate capacity for future traffic conditions.

Three build alternatives are currently under evaluation, as well as the no-build alternative; however, due to constraints associated with the railroad crossing all of the build alternatives are identical where Thompson Ranch Road crosses the BNSF tracks. The inset in Figure 2 is representative of all alternatives at the crossing of the BNSF tracks.

The proposed improvements on Thompson Ranch Road would require widening the railroad crossing by approximately 65 feet. During the design of the improvements for the project, two sites were identified as historic. One of these sites is the historic Santa Fe, Prescott, and Phoenix Railway Line, which is now the BNSF Railway. The railroad, designated as site AZ N:3:32 (ASM) by the Arizona State Historic Preservation Office (SHPO), has been determined eligible for inclusion in the National Register of Historic Places (NRHP) under Criterion A and therefore is afforded protection under Section 4(f) of the Department of Transportation Act of 1966.

Consultation letters were mailed on May 23, 2011 to the consulting parties for this project requesting concurrence on the “no adverse effects” determination. Both BNSF Railway and SHPO were consulting parties. The SHPO concurred with the finding of no adverse effect in their June 6, 2012 response. No response was received from BNSF Railway.

Section 4(f) Evaluation

A “use” of a Section 4(f) resource, as defined in 23 Code of Federal Regulations (CFR) §774.17 occurs: 1) when land is permanently incorporated into a transportation facility; 2) when there is a temporary occupancy of land that is adverse in terms of the statute's preservation purpose; or 3) when there is a constructive use of the land. A constructive use occurs when the transportation project does not incorporate land from a Section 4(f) resource, but the project's proximity substantially impairs protected activities, features, or attributes that qualify the resource for protection under Section 4(f) (23 CFR §774.15).

The proposed project would not change the use of the railway corridor, but it would widen the roadway crossing at the intersection of the rail tracks and Thompson Ranch Road, requiring a widening of the current right-of-way easement.

Per 23 CFR §774.5, a finding of *de minimis* impact on a historic site may be made when:

1. The Federal Highway Administration has considered the views of any consulting parties participating in the consultation required by Section 106 of the NHPA;
2. The Section 106 process results in a determination of “no adverse effect” with the written concurrence of the SHPO; and
3. The SHPO is informed of FHWA's intent to make a *de minimis* impact finding based on their written concurrence in the Section 106 determination of “no adverse effect” and the SHPO concurs with the determination.

Summary of Project Impacts

The proposed transportation improvement would have a direct use of slightly more than 0.1 acre of the Section 4(f) property. The approximately 0.1 acre would be on the east side of Thompson Ranch Road, away from the existing BNSF rail yard located west of Thompson Ranch Road.

The proposed easement would be located immediately adjacent to the existing roadway corridor and would not require the relocation or closure of the railroad tracks. Widening of Thompson Ranch Road,

however, could result in some temporary delays in rail traffic during construction periods, but this would be fully coordinated with BNSF Railway. The proposed widening would not result in the relocation of the tracks. The overall character of the crossing would not be substantially changed. The widening would require replacing the existing crossing gates and install larger gates to cover the widened crossing. The proposed widening would not change the operational characteristics of the railway crossing at this location.


The FHWA and ADOT are committed to coordinating with BNSF during the design and construction phases to minimize or mitigate impacts on the operation of the railway. The proposed widening of Thompson Ranch Road would require an encroachment permit from the railroad.

Based upon the above considerations, the use of the Section 4(f) property would not adversely affect the activities, features, and attributes of the BNSF Railway which qualify the resource for protection under Section 4(f). The impacts resulting from the use of the Section 4(f) property would be *de minimis*.

The FHWA and ADOT are requesting BNSF Railway's concurrence that the construction of the proposed transportation improvements would not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f), and that the impacts would be *de minimis*. If the BNSF Railway has no objection to these findings, please indicate your concurrence by signing this letter and returning a copy to FHWA at the address provided within 45 days.

Please contact Rebecca Swiecki, Environmental Coordinator, at (602) 382-8979 (rebecca.swiecki@dot.gov) or Joanie Cady, EPG Planner, at (602) 712-8633 (jcady@azdot.gov) with any questions or comments. Your assistance is appreciated.

Sincerely,


 + Karla S. Petty
 Division Administrator

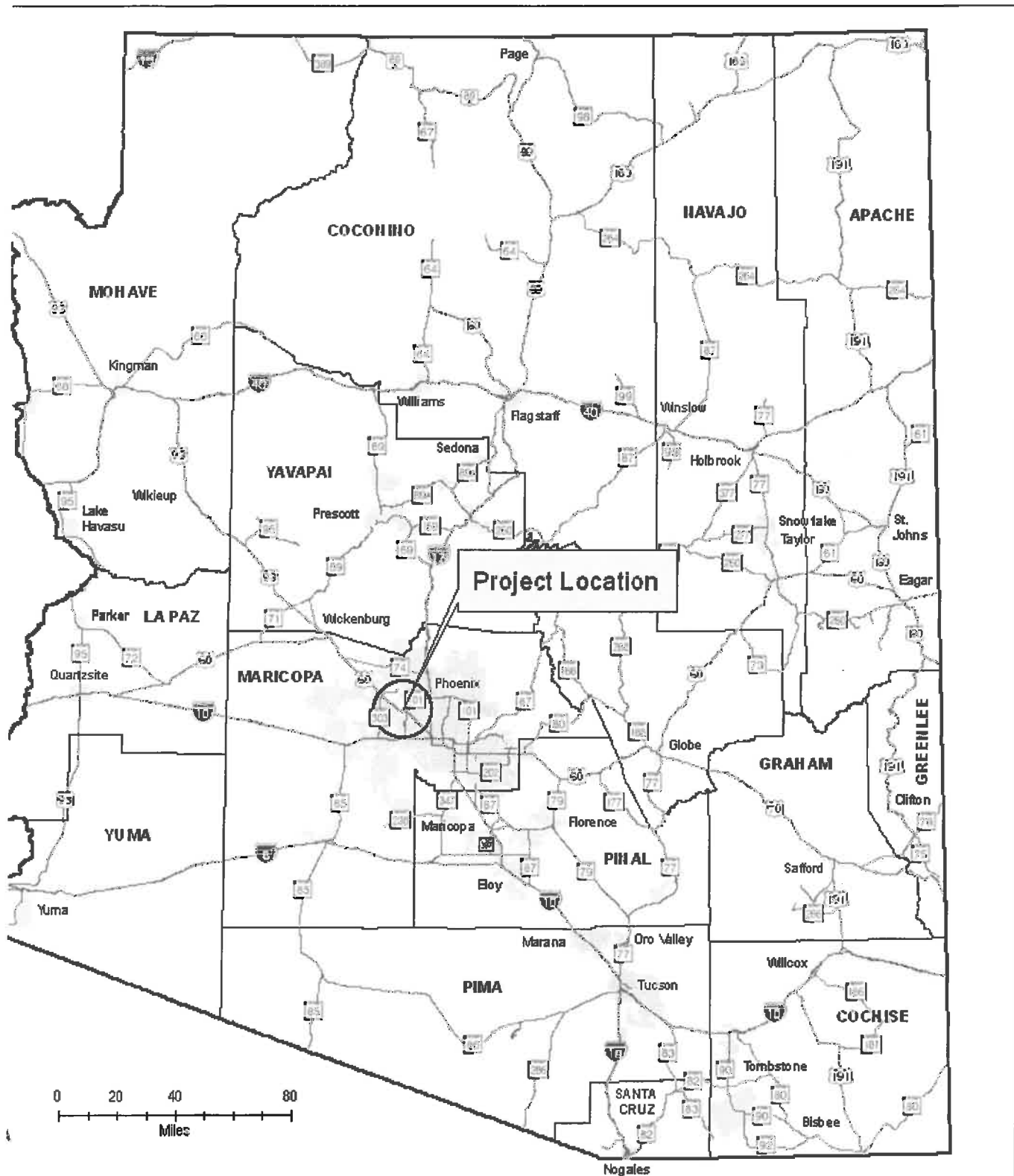
Concurrence:

BNSF Railway
 NH-060-B(208)T

Date

Enclosures

Figure 1. State Location Map
 Figure 2. Vicinity Map



D-B(208)T
A 145 H8374 01L

Figure 1. State Location Map





NH-060-B(208)T
060 MA 145 H8374 01L
US 60 / Thunderbird Road Intersection

City of El Mirage

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City of El Mirage City Manager's Office

August 27, 2012

RECEIVED/SENT

AUG 29 2012

Mr. Mohammad Ayub Zaid, P.E.
Project Manager
Valley Project Management
Arizona Department of Transportation
1611 West Jackson Street, Mail Drop EM01
Phoenix, AZ 85007

Control # _____
Description: _____

Subject: City of El Mirage Preference – Proposed Design Alternatives for U.S. 60 (Grand Avenue) /Thunderbird Road Intersection

Dear Mr. Zaid:

Thank you for your insights and support for the Grand Avenue/Thunderbird Road reconfiguration in El Mirage. As discussed during our meeting on Wednesday, 8/22, the City's preference for redesign of the subject area is Alternative B as shown in the attached view, but with the following modifications to Honcho Drive:

The alignment of Honcho Drive as shown in Alternative B places homes between Thunderbird Road, Grand Avenue, and the Grand Avenue Frontage Road. To remedy this condition, while also improving the area's safety and aesthetics, El Mirage would prefer that all home sites be acquired on both sides of Honcho Drive. Additionally, the City prefers repositioning the Grand Avenue Frontage Road so that it runs down the center of Honcho Drive as shown in Alternative A, also attached.

City of El Mirage Preference – Proposed Design Alternatives for U.S. 60 (Grand Avenue)
/Thunderbird Road Intersection

Page – 2 –

Please contact Jorge Gastelum at (623) 876-2976 or via e-mail at jgastelum@cityofelmirage.org
if you need additional information.

Sincerely,

A handwritten signature in blue ink that reads "Spencer A. Isom".

Spencer A. Isom, PhD
City Manager

c: Troy Sieglitz, AECOM Transportation ✓
Jorge Gastelum, City of El Mirage
Mayor Lana Mook – City of El Mirage
Vice Mayor David Shapera – City of El Mirage
Councilman Roy Delgado – City of El Mirage
Councilman Jim McPhetres – City of El Mirage
Councilman Jack Palladino – City of El Mirage
Councilman Joe Ramirez – City of El Mirage
Councilman Lynn Selby – City of El Mirage

Attachments (2)

SAI/pg

ALTERNATIVE A



ALTERNATIVE B

